

03-06-06

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No. EV 452 776 966 US

Application of: Lucente, et al.

Confirmation No.: 9490

Serial No.: 09/890,908

Art Unit: 2654

Filed: January 11, 2002

Examiner: Lamont M. Spooner

For: SYSTEM AND METHOD FOR
BILATERAL
COMMUNICATION BETWEEN
A USER AND A SYSTEM

Attorney Docket No.: 10244-006-999
(899155-999006)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

03/08/2006 AKELECH1 00000042 503013 09890908

01 FC:1806 180.00 DA

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of :

- ☐ Each publication or that portion which caused it to be listed on the PTO-1449;
- ☐ For each cited pending unpublished U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion that have been checked to be unavailable at the USPTO's private PAIR system;
- ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report;
- ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications;
- ☐ All other information or portion which caused it to be listed on the PTO-1449.

1c. ☐ Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the cited U.S. patents and U.S. patent application publications are not submitted herewith unless required by the office.

1d. ☐ Pursuant to 1287 OG 163, copies of cited pending unpublished applications that are available at the USPTO's private PAIR system are not submitted herewith.

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- ☐ Before the mailing of the first Office action on the merits;
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed.
 - ☒ to be charged to Jones Day Deposit Account No. 50-3013.

(Item 3b to be checked if any reference known for more than 3 months)

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The Certification Statement in Item 5 below is applicable.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- ☐ enclosed.
- ☐ to be charged to Jones Day Deposit Account No. 50-3013.

5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked):

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.


6. ☒ This application is a continuation application under 37 C.F.R. §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial No. 09/497,493, filed on February 4, 2000, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 7a)
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- (Check Item 8a, 8b, or 8c)
- 8a. ☐ Satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ Set forth in the application.
- 8c. ☐ Enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 50-3013.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability and no representation is made that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: March 3, 2006



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(Reg. No.)

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

 ATTY. DOCKET NO.
 10244-006-999
 (899155-999006)

 APPLICATION NO.
 09/890,908

 APPLICANT
 Mark Lucente, et al.

 FILING DATE
 January 11, 2002

 ART UNIT
 2654
**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
	A01	5,963,940	10/5/99	Liddy et al.	
	A02	5,924,089	7/13/99	Mocek et al.	
	A03	5,895,464	4/20/99	Bhandari et al.	
	A04	5,583,982	12/10/96	Matheny et al.	
	A05	5,875,333	2/23/99	Fish et al.	
	A06	5,855,002	12/29/98	Armstrong	
	A07	5,819,243	10/6/98	Rich et al.	
	A08	5,794,050	8/11/98	Dahlgren et al.	
	A09	5,761,631	6/2/98	Nasukawa	
	A10	5,754,736	5/19/98	Aust	
	A11	5,584,024	12/10/96	Schwartz	
	A12	5,555,408	9/10/96	Fujisawa et al.	
	A13	5,454,106	9/26/95	Burns et al	

FOREIGN PATENT DOCUMENTS

		FOREIGN PATENT DOCUMENT COUNTRY CODE, NUMBER, KIND CODE (IF KNOWN)	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T
	B01					
	B02					
	B03					
	B04					
	B05					
	B06					
	B07					
	B08					

EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)

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10244-006-999
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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
	A14	5,471,611	11/28/95	McGregor	
	A15	5,442,780	8/15/95	Takanashi et al.	
	A16	5,418,948	5/23/95	Turtle	
	A17	5,369,575	11/29/94	Lamberti et al.	
	A18	5,265,065	11/23/93	Turtle	
	A19	5,197,005	3/23/93	Shwartz et al.	
	A20	4,445,187	4/24/84	Best	
	A21	5,983,221	11/9/99	Christy	
	A22	5,960,399	9/28/99	Barclay et al.	
	A23	5,732,216	3/24/98	Logan et al.	
	A24	5,915,001	6/22/99	Uppaluru	
	A25	6,965,864	11/15/05	Thrift et al.	
	A26	5,555,169	9/10/96	Namba et al.	
	A27	6,430,531	8/6/02	Polish	

FOREIGN PATENT DOCUMENTS

		FOREIGN PATENT DOCUMENT COUNTRY CODE, NUMBER, KIND CODE (IF KNOWN)	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T
	B09					
	B10					
	B11					
	B12					
	B13					
	B14					
	B15					
	B16					

EXAMINER

DATE CONSIDERED

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LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 10244-006-999 (899155-999006)	APPLICATION NO. 09/890,908
	APPLICANT Mark Lucente, et al.	
	FILING DATE January 11, 2002	ART UNIT 2654

NON PATENT LITERATURE DOCUMENTS

Examiner Initials		(Include name of the author (in CAPITAL LETTERS), Title, Date, Pertinent Pages, Etc.)	T
	C01	"Speech-Aware Multimedia", Hemphill et al., ACM Multimedia, 1996, pp 74-78	
	C02	"Surfing the Web By Voice", Hemphill et al., ACM Multimedia, 1995, pp 1-11	
	C03	United States Court of Appeals for the Federal Circuit, 01-1445 (Serial No. 08/419,229) <i>In re Philip R. Thrift and Charles T. Hemphill.</i> , http://www.ipo.org/ContentManagement/ContentDisplay.cfm?ContentID=14803	
	C04	IP Australia First Report dated February 14, 2003	
	C05	"PADIS - An automatic telephone switchboard and directory information system", A. Kellner, et al., Speech Communication 23, 1997, pp 95-111	
	C06	Supplementary European Search Report EP 00 91 4516 dated July 26, 2005	
	C07		
	C08		
	C09		
	C10		
	C11		
	C12		
	C13		
	C14		

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